



Bylaw Review Committee Meeting Minutes

January 20, 2022

Committee Members:

Eric Grund	Chair
Rachel Rivkind	Vice Chair
Thomas Coogan	Member
Joan Kuhn	Member
Fred Freeman	Member

The meeting was held virtually, over the Zoom platform and was recorded by Steve Ryerson.

Present: Eric Grund, Rachel Rivkind, Joan Kuhn, Fred Freeman, Thomas Coogan

Meeting called to order at 7:07pm by Eric Grund

A motion was made to accept the minutes of the December 15, 2021 meeting as amended. The motion was seconded and accepted.

3rd agenda item, First Discussion/Bylaw Proposal: Mandatory Video Recording of all Town Public Meetings

Eric Grund cited Article 20 of the Town Meeting Warrant draft, dated January 13, 2022. He stated for review, we've previously discussed Articles 9, 11, 17 and now are discussing Article 20

Rachel Rivkind, referencing our discussion on Article 17, made a point that elections on Saturdays could interfere with some religious observances. Eric Grund stated he would follow up by asking the Town Clerk if she is aware of any conflict of that nature. Rachel Rivkind, after an internet search, found the Commonwealth of Massachusetts has listed religious observances as one of the approved reasons to obtain an absentee ballot. Eric Grund began the discussion on the proposed Language of Article 20

All meetings of elected and appointed Boards, Commissions, Committees and Trusts shall be audio and/or video recorded, but for extenuating circumstances, by the Town of Hanover and be made available as Public Records.



Fred Freeman questioned should language be included that addresses the website posting of the recordings as Public Records. Rachel Rivkind raised a concern regarding the future storage of video files, the file size and how any website posting language could remain consistent with inevitable technology changes. Rachel referred the group to *A guide to the Massachusetts Public Records Law*. She forwarded the link to each member's email. Joan Kuhn commented that states vary on their level of access to Public Records. Rachel Rivkind pointed out the importance of transparency. Fred Freeman mentioned it might be helpful to have a consultation with the Town's IT department. TJ Coogan referenced the Open Meeting Law "All recordings must be made public, with the exception of Executive Session". TJ also mention a potential bias exist in a written record. Eric Grund stated a concern with the phrase "extenuating circumstances" as being quite broad and vague. Eric stated he has worked in places that actually have Data Dictionaries to clearly define words and phrases. Rachel Rivkind suggested possibly amending to "extenuating circumstances, such as Rachel also stated it is important that this bylaw language is in line with State Law and its exemptions. What is exactly meant by extenuating circumstances, were they referencing power outage for example? Or perhaps the intent was to be broad and vague. Fred Freeman stated he anticipates a Town Meeting discussion regarding website posting and archiving of the recordings as Public Records. Eric Grund suggested we develop a process where Town Counsel reviews potential Bylaw changes and signs off on the language as acceptable. The Committee had a discussion about Public Records, the 16 approved exemptions of which 10 pertain to executive sessions.

4th agenda item, Presentation to the Advisory Committee on March 9th at 6pm.

Eric Grund has prepared some slides for the scheduled presentation. The four Bylaw changes will be presented:

1. Selectmen to Selectboard
2. Town Election date change
3. Transfer Station regulations change
4. Mandatory audio and/or video recording of Town meetings

5th agenda item, Other Business

It was collectively agreed we'd meet again on February 16th at 7pm and March 8th at 7pm.

Eric Grund suggested he continue to work with Steve Ryerson on updating the Bylaw Review Committee webpage to include a fillable form for a resident to propose a new bylaw or to amend an existing bylaw. Joan Kuhn referenced the warrant draft, and identified some inconsistent language in Articles 29 and 35. TJ Coogan reminded us the deadline to propose bylaw changes are January 25, 2022.

Motion made to adjourn, second, carried unanimously.